

OPENING

Chairperson Prentice brought the meeting to order at 6:01 p.m. and led the Pledge of Allegiance.

ROLL CALL/PRESENT

Chairperson Janet Prentice
Commissioner Allen Angell
Commissioner Lee Fralish
Commissioner Wenn Jorgensen
Commissioner Zaharias (Absent)

Mayor Marty Lisonbee (Virtual)
Clerk/Recorder Not Present
Staff: John Barlow; Taylor Pledger

CONFLICT OF INTEREST DECLARATIONS

None

CONSENT AGENDA

None

ADMINISTRATIVE APPLICATIONS PENDING/APPROVED

A. Lot Split Applications

PUBLIC HEARING

1. **Public Hearing for ZONE CHANGE of parcel AV-1329 from Open Space (OS) to Rural Estate 1 Acre (RE-1.0) Applicant: Travis Wells**

Chairperson Prentice opens the public hearing

Travis Wells- Explained that he wants to rezone 57 acres to Re-1 zoning for a subdivision located off Rome Way and Main Street.

Commissioner Angell – Asked do you own the property?

Travis- Explained that he does not own the property at this moment. The sale is set to close in 6 days.

Chairperson Prentice opens the public hearing

Shamim Monshizadeh- Expressed her opposition to the project. She feels there is not enough information and that someone who is not the owner should not be allowed to submit a zone change application. Mentioned we haven't heard anything about improving the drainage issues or the roads to handle the increase in traffic. She thinks there are too many lots being changed to residential. Expressed concern with losing our "small town feel."

Barry Bornstein- Explained that it seems like a lot of homes for that area. Mentioned that he is not against development but is against over development. He wouldn't have opposed 10 homes; however, he feels that 57 homes is too many. The road is not currently built to handle that amount of traffic.

Nik Rashid- Mentioned that their reasoning for buying their property was the view. She is worried how that will look for them in the future with these additional homes being built in that location.

Bevan Corry- Mentioned that his property shares a boundary line with the development. His concern is the water and if we will have enough water for the future. Explained that we are projected to get less, and less rain fall in the coming years and when it does rain it creates flooding. He is also concerned about the noise pollution and the air pollution. He expressed concern about the wood stoves in the houses polluting the air. He believes influx in traffic caused by this development would cause a negative impact on the community. Bevan also mentioned his concern for losing property value due to the overcrowded neighborhood this development would cause.

Margaret Ososki- Asked where on Main Street will the entrance be? Are the houses going to be on septic or a sewer system? What happens if it's on septic and the rain causes the septic to overflow and the sewage travels to their neighbors?

Mike Bradshaw with Alliance Consultant- Explained that there are easements available on Main Street for them to use. Also explained that they build a septic system based on the results of their tests and surveys.

Margret Ososki- Asked how much acreage would be given for open space?

Mike Bradshaw- Explained that they are rezoning for 1-acre minimums, which does not represent the amount of homes being built. There are some drainage requirements that will be designated for the open space. However, the lots are expected to be 2-3 acres. The extra acreage on the lots will be considered the open space.

Margret Ososki- Asked if the code stated that there must be an x amount of acreage designated for parks and recreational areas?

Mike Bradshaw- Explained that, yes, the code does state that, however, this meeting is just to rezone and is not the final discussion on the development plan. Some lots will necessarily be smaller than the 2.5 acre goal based on what is needed for drainage.

Bevon Carry- Explained that the slope below his house is sandstone. Expressed concern about the possibilities of putting septic there.

Mike Bradshaw- Stated that obviously septic doesn't go in rocks. That area would have to be a larger lot to accommodate a septic. They would consider putting the septic at the bottom of the hill.

Danny Fox- Stated that he completely disagrees with what they are trying to do here. Explained that we are so far behind in drainage and when the rain comes you can see 3 large channels of water coming from that area. Claims he will be against this project until the drainage issue is addressed.

Kathy Stoker- Mentioned that she understands growth is going to come but the town is not ready for a project like this. She believes the town needs to catch up on the drainage problem before we can even consider this, unless the developer is willing to help fix the infrastructure.

Barry Bornstein- Asked if they are going to sell just the land or the land with a home on it?

Mike Bradshaw- Explained that Travis is not a developer who builds homes. He is trying to build an estate for himself and while doing so is developing other lots in that area. The lots are for sale without having homes on them. Mentioned that Alliance developed Coral Canyon and he believes it turned into a beautiful community and would like to bring the same look here to Apple Valley.

Shamim Monshizadeh- Asked if it will be up to the buyers of the land on how large their lot will be?

Mike Bradshaw- Explained that they are going to put together a plan that makes sense for what the people of Apple Valley want, and they won't be carving off acres and selling them at the buyer's request. To be clear, this is just the zone change. This is not the development plan.

Margaret Ososki- Stated that if you want a zone change then you already know what you want to do. You are asking for a zone change and then saying you don't know what you want to do, but you do know what you want or you wouldn't be asking for this zone change. Expressed that she would like them to tell the people that live here what their actual plan is.

Bevan Carry- Expressed concern with them describing this as 2.5 acre lots but they will be zoned as 1 acre lots and there will be nothing preventing them from breaking it down to 1 acre lots.

Barbara Fox- Mentioned that she wants to clarify about the flooding. Said that she had to sandbag her entire property last flood season. Mentioned that she lost a lot of soil that carried over to other people's houses and filled their basements. She explained that it's not just a little water; it's a lot of water that is carrying debris.

Robin Rust- Mentioned that she has heard a lot about our current problems but doesn't believe the developer is a cause for our current problems. She stated that we as a city need to address our own issues. Also Mentioned that without any revenue we will never be able to address the issues that we have. If this developer can engineer a way to not add to our issues but instead to help, then she is not opposed to the growth. She wants our city to grow enough that we can be self-sustainable.

Chairperson Prentice closes the public hearing

DISCUSSION AND ACTION

2. Discussion and possible action on ZONE CHANGE of parcel AV-1329 from Open Space (OS) to Rural Estate 1 Acre (RE-1.0) Applicant: Travis Wells

Commissioner Angell- Mentioned that he took a tally and 8 have said they are against and 1 is accepting of the zone change. He feels there are a number of things against this zone change, not at least of which is the fact that the applicant isn't the land owner. Mentioned that the applicant wants to build a single home and there are plenty of lots that homes can be built on. He feels that asking to change almost 60 acres for 1 home is too much. Feels as though we would be left with a RE-1 space and if the price and demand are there then they will sell lots at 1 acre.

Chairperson Prentice- Asked Travis if he has considered RE-5.

Travis Wells- Stated that he doesn't think it's feasible for the cost of the land. He believes 90% of the lots will be 2.5 acre lots.

Mayor Marty Lisonbee- Explained that there is an affidavit in the file that explaining that the developer has permission from the owner to submit a zone change request. He believes the fact he doesn't own the land is a moot point. He has a contract with the owner to buy the land subject to the approval of the zone change. Also explained that even if we end up approving the zone change, everything will be done with a plat process so his developments will have to come back to planning commission for approval. Mayor Lisonbee believes we are getting lost on the 1-acre designation and stated that we can deny his plat if it's not what we talked about. Mentioned that part of the plat process will be addressing the drainage issue.

MOTION:	Commissioner Fralish moves to deny and forward to the Town Council with a recommendation for denial on ZONE CHANGE of parcel AV-1329 from Open Space (OS) to Rural Estate 1 Acre (RE-1.0) Applicant: Travis Wells
SECOND:	Commissioner Jorgensen
VOTE:	Chairperson called for a vote:
	Commissioner Jorgensen AYE
	Commissioner Fralish AYE
	Chairperson Prentice AYE
	Commissioner Angell AYE
	Commissioner Zaharias ABSENT

The vote was unanimous and the motion carried

ADJOURNMENT

MOTION: Commissioner Angell moves to adjourn
SECOND: Commissioner Fralish
VOTE: Chairperson called for a vote:
Commissioner Jorgensen AYE
Commissioner Fralish AYE
Chairperson Prentice AYE
Commissioner Angell AYE
Commissioner Zaharias ABSENT

The vote was unanimous and the motion carried

Meeting adjourned at 7:12 pm.

Date approved: 3-3-2021

Janet Prentice
Chairperson

ATTEST BY: Michelle Kinney